

COMMITTEE ON FINANCE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Jack H. Schurlknight, Council Member District No. 6

A **meeting** of the **Committee on Finance**, Standing Committee of Berkeley County Council, was held on Monday, **June 27, 2011**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:39 p.m.

PRESENT: Chairman Jack H. Schurlknight, Council District No. 6; Committee Member Robert O. Call, Jr., Council District No. 3; Committee Member Cathy S. Davis, Council District No. 4; Committee Member Caldwell Pinckney, Jr., Council District No. 7; Committee Member Steve C. Davis, Council District No. 8; ex-officios Mr. Daniel W. Davis, County Supervisor, Mr. Phillip Farley, Council District No. 1, Mr. Timothy J. Callanan, Council District No. 2, and Mr. Dennis Fish, Council District No. 5; Ms. Nicole Scott Ewing, County Attorney; Ms. Elizabeth Cannon, Assistant County Attorney; and Ms. Catherine Windham, Acting Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Schurlknight called the meeting to order.

APPROVAL OF MINUTES

Chairman Schurlknight: "First on the agenda is approval of minutes from May 23, 2011 and May 24, 2011."

It was moved by Committee Member Steve Davis and seconded by Committee Member Call to **approve** the minutes as presented. The motion passed by unanimous voice vote of the Committee.

EXECUTIVE SESSION

Chairman Schurlknight: "We will need to have an Executive Session."

It was moved by Committee Member Pinckney and seconded by Committee Member Call to **enter** into **Executive Session** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property; the receipt of legal advice where the legal advice relates to a pending,

threatened or potential claim, or other matters covered by the attorney/client privilege; settlement of legal claim; or discussion of employment, appointment, compensation, promotion, demotion, discipline or release of an employee, student or a person regulated by a public body; or the position of the County in other adversarial situations involving the assertion against the County of a claim. The motion passed by unanimous voice vote of the Committee.”

The Committee entered into Executive Session at 6:40 p.m., and returned to its Committee Session at 7:12 p.m.

Chairman Schurlknight: “Madame Attorney, will you report us out of Executive Session please?”

Ms. Ewing: “Yes, Mr. Chairman; the Committee went into Executive Session for the reasons stated in the motion. No action was taken.”

Chairman Schurlknight: “Thank you.”

A. Solicitor Scarlett Wilson, Re: Budget Request

Ms. Wilson: “Thank you; first off, I want to thank all of you on Council who have taken time outside of these meetings to talk with me and give me your perspective, in particular, Mr. Davis, Dan Davis, for taking time out to explain to me more the lay of the land and to kind of brainstorm with me about options we would have. As you know, I’ve been asking for two prosecutors to be picked up not to increase the size of my staff, but to maintain the status quo, because of lapsed funding from other sources. And, what I would like to do is present to you the numbers that I think justify maintaining the status quo. Additionally, Members of Council, your staff has been great, as well. I know, one day, I walked in their office about four-thirty, quarter-til-five, and needed some information, and they stayed to make sure that I got it, and I really do appreciate that. It made my research that much easier, as well as Ms. Smith and Ms. Turner taking time out from their on-going tasks to get me information, facts and figures that I needed, and that makes a big differences. But, what I want to talk to you about is why it is that I think that we need to maintain the status quo. The fact of the matter is, I asked you for two positions, because that is the very least I felt like I could ask you for. The reality is I need a whole lot more than that to be on par with other counties our size and other jurisdictions across the nation our size, but I realize in these times that that’s just not gonna happen. But, never fear, I’ll be back next year, and we’ll be talking about that. If we haven’t accomplished it by then, we’ll be talking about the Worthless Check Unit again. We’ll be talking about staff to support these attorneys, but that’s for another day. I know that ya’ll have had a difficult task. I know that ya’ll have done a lot of work in maintaining and increasing our fund balance so that we have a, a good bond rating that can mean for a more prosperous Berkeley County. I think, it’s also important that you know that my philosophy since taking over the Solicitor’s ship has been to try to fill this office with attorneys who are either from Berkeley County or now live in Berkeley County. I know, Mr. Davis, back when you were at the Solicitor’s Office, you were probably one of the

only prosecutors over here that actually lived and worked in Berkeley County. The rest were people driving in from Charleston who really had no ties here, and I'm trying to change that, because Berkeley is growing and thriving, and you need people in your Solicitor's Office who live and work and care about Berkeley County. I can tell you now that half of the attorneys, more than probably ever in history, are either from Berkeley County or live in Berkeley County now. And, that's the way I want to keep it. We are a training ground, unfortunately, because we can't compete with the private sector, and because of that, we get people who are coming to the public service arena, in order to get experience to go back out into the private sector and to make money. And, that is the role of Solicitor's Offices across the state, but my goal is to try to keep attorneys as long as we can and to have attorneys invested in this community, so that you can get, and the citizens of Berkeley County can get the biggest bang for their buck and not waste those training dollars and have an attorney then leave our office and go out into private practice. There's nothing wrong with private practice, but if we can hold on to attorneys and keep them in our office so that we're getting that experience, our caseloads and victims will be better served. The first thing I want to do is show you some comparisons, and I know that everybody can't see this chart. This is a chart from the FBI and SLED, regarding the changes in law enforcement, sworn officers since 2005. And, the reason I picked 2005 is because what you'll see is the Berkeley County Sheriff's Office, since that time, has gained about 17 officers or fifteen percent of their force since 2005. Now, remember that we don't, in the Solicitor's Office, we don't service just Berkeley County; we've got Moncks Corner; we've got Goose Creek; we've got Hanahan; we've got every jurisdiction in this County that we handle cases for. And, you'll see, each of those workforces have gone up fifteen percent, four percent, nine percent, twenty-three percent, whereas, the Solicitor's Office, since 2005 has increased zero percent from the General Fund, zero positions added. And really, that goes back to 2003, because in 2005 when those positions were added, they were actually added from positions that had been there a couple of years from grants. But, we have certainly not kept up with law enforcement in that regard, and we shouldn't match law enforcement position for position, because an officer can make hundreds of cases, and we can handle even more than that, because we're not out on the streets the way that they are. In looking at and trying to explain to you what a caseload means, I thought it important to look at other counties. And, I started with Anderson County, because their population, according to the latest census, is around 185,000, a little more than where we are, but still a good benchmark. Their Family Court caseload was 612 cases last year, and these are numbers taken from DJJ stats. They have one Family Court lawyer in Anderson County. That means that lawyer handled 612 cases that year. In General Sessions, they had about 3,813 cases, seven and one-half lawyers handling that caseload. So already, you can see that they have more lawyers than we have, and they too are above the recommended level for caseloads at 508 pending cases per lawyer in General Sessions Court. That's too many; it's too many for them; it's too many for us. But, take a look at Beaufort County, a lower population than we are at 155,000. Their Family Court caseload is a little higher than Anderson's at 736, one and one-half lawyers, that's probably ok for that caseload. Look at their General Sessions caseload. They're looking at 1,857 cases and nine lawyers. I would love to be in that situation at 200 cases per lawyer. That is below the standard. We shoot for about 250 cases per lawyer. Beaufort's blessed to only have 200 per lawyer, and that means

their lawyers get to spend more time on each case. But, let's take a look at where we are. Our population, I heard tonight, someone say around 178. The number I looked at was about 176,000 from the last census. General Sessions cases, again, these are using the numbers from Court Administration, and sometimes, you will see different numbers that I use, our internal numbers, versus theirs, but because I was comparing the different counties, I thought the official state numbers would be the best to show you the trends – 3,295 cases with six and one-half lawyers, basically, because we have one who's part-time in CDV Court. That is 506 cases per lawyer – too many. Where it gets even worse is Family Court – 1,264 cases a year for that one lawyer – that's too many. When you look at it all together, you can see the comparison all on one page; whereas, Anderson has 612 cases in Family Court, Beaufort has 736, and we're at 1,264 for one lawyer. That's another reason it's so important that I get these two positions, because in an office so small, when we are talking about keeping steady at eight lawyers, everybody has to help everybody out. And, it's going to be vital when it comes to Family Court. We've got a great staff, but we cannot risk burnout by overburdening them even more than they already are. The Criminal Domestic Violence Court, I put these materials in your booklets. I also put two articles – one when we first started the program, another one that came out just recently. I'll tell you, as Mr. Schurlknight pointed out, the next time the media decides to put, *'I'm single; I'm beautiful, and I'm available'* below my picture, maybe, they could go ahead and just put my phone number, but what they did was that they did a mobile home advertisement just below my picture where they said, *'I'm single; I'm beautiful, and I'm available'.*”

[Laughter]

Ms. Wilson: “But, this was a great article about CDV Court that really has done a great job. And, while I'll certainly pat my office on the back, Judge Ava Ayers has done a tremendous job with that. She does not need help with a backlog. That is not what CDV Court is about. CDV Court is about having victims represented in prosecutions in Magistrate Court, because the defendants get attorneys. As it stands now without funding for a CDV lawyer, the victim will not have a lawyer there. What that also means is that the Sheriff's Department is going to have to have deputies appear in court for all of these little hearings before the trial to make sure that those cases can go forward. It's very intensive, it's very involved, and what it means for those deputies is overtime. Really, with a county the size of Berkeley County, and with the praise that you got for being one of the first in the state for having a very efficient and very effective CDV Court, I really hate for us to lose that. So, I hope that that will be another reason that you see fit to fund these two positions. Finally, I want to talk with you about some of the good work that we've been able to keep doing since FY '08, since we've been staffed with eight lawyers, and that's our trial conviction rates. And, I'll talk to you more about eating into the backlog, because I know that's some of your concern. But, another thing is that we are doing better with the cases that we're actually taking to trial. The average in the Ninth Circuit, which is Charleston and Berkeley County, both my offices, from 2003 to 2007, the average conviction rate was about 53 percent, meaning that we won about 53 percent of the cases that actually went to trial. For Berkeley County alone, it was 26 percent. That is unacceptable, and that has changed, and that's the momentum that I want to keep

going in Berkeley County. We are now up to – last fiscal year, we were up to 67 percent conviction rate from 2008 to now, but last year, we had 100 percent conviction rate. Now, we're not gonna be able to keep 100 percent conviction rate, so don't be expecting that, but we can do better than we have been doing. And, I know Mr. Davis is laughing cause he won a case against us more recently. What can I say about that? But, we have improved that conviction rate. We'll continue to hold steady with that conviction rate if we can keep fully staffed. And, if anybody has any questions, I'm happy to answer. One of the other things you asked me about was the backlog. And, I know it is hard to see color on this chart, but this top line there is the cases that we're moving out. And, what we always want to see is more cases moving out than are coming in. So, when you see a gap between those two lines, that's good news. The bigger the gap, the more old cases we're eating into. And, you'll notice from FY '04 to FY '08, we didn't have much of a gap. We weren't doing so good not only taking care of what's coming in and moving the old cases that were sitting there. But now, we are doing great. We've got a big gap between what's coming in and what we're moving out, because we're not only taking care of the new cases, we're working backend and we're working that backlog, and that is momentum that we can't afford to lose. Again, these two positions do not grow my office from last year or the year before. They help us keep the status quo. I would ask that you accept what was the initial recommendation of Chairman Davis, and that you fund those two positions. And, I'm happy to answer any questions if anybody has any."

Chairman Schurlknight: "First thing, Ms. Wilson, thank you for coming, and the reason that you're needing funding for these two positions – these two positions were funded by a grant for the last three years? Am I correct?"

Ms. Wilson: "Yes, Sir."

Chairman Schurlknight: "And, that grant money is gone now."

Ms. Wilson: "It has – it's dried up, yes. It has been reduced substantially to an amount that we can't fund those positions."

Chairman Schurlknight: "Ok; good; do we have any questions?"

Supervisor Daniel Davis: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Davis."

Supervisor Daniel Davis: "Ms. Wilson, you were gonna talk about some dollars that could – we could use, and fund your department. Is that right? Can we say that? Ok; I'm sorry. We'll scratch that."

[Laughter]

Ms. Wilson: "I hope to have some dollars."

Supervisor Daniel Davis: "There may be some dollars. There may be a revenue stream that we can access to help fund your..."

Ms. Wilson: "At some point."

Supervisor Daniel Davis: "Right."

Ms. Wilson: "I hope; I hope; and I am optimistic about that. Do I have it today? No."

Committee Member Steve Davis: "Well, with that having been said, I will move to amend the Solicitor's – the Supervisor's recommended budget to include the \$100,000 that would be taken away."

Mr. Callanan: "Mr. Chairman?"

Chairman Schurlknight: "Doesn't it – wasn't it in the original budget?"

Supervisor Daniel Davis: "It was in the original budget, but..."

Mr. Callanan: "Have we amended the budget since then?"

Supervisor Daniel Davis: "...and, we have not."

Chairman Schurlknight: "Yes."

Mr. Callanan: "So, we don't have to do anything. "

Supervisor Daniel Davis: "If we need an amendment, it needs to come later, if we are to still fund the two corrections officers for the Sheriff's Department..."

Mr. Callanan: "Right, but we wouldn't have to..."

Supervisor Daniel Davis: "...we would put all that together."

Mr. Callanan: "...we wouldn't have to do anything for the Solicitor – the existing two positions are already in the budget."

Supervisor Daniel Davis: "That's correct."

Mr. Callanan: "Ok, thank you."

Committee Member Steve Davis: "Well, I withdraw. I thought it was taken out, Mr. Supervisor."

Mr. Fish: "Mr. Chairman, according to what we're talking about, they're not in here."

Supervisor Daniel Davis: "Pardon me."

Committee Member Steve Davis: "I thought it was taken out. That's why I made a motion in this committee meeting to put it back in."

Supervisor Daniel Davis: "No, we have not taken it out yet. It's still in the original..."

Committee Member Steve Davis: "You're alright."

Ms. Wilson: "It's pre-emptive."

Committee Member Steve Davis: "You're good to go."

Chairman Schurlknight: "Ok; any other questions for the Solicitor?"

Committee Member Steve Davis: "Thank you."

Chairman Schurlknight: "Good; Scarlet, thank you very much."

Ms. Wilson: "Thank you all, and thanks for your time, and thanks to all your staff for helping us too."

B. Consideration prior to **First Reading** of an **ordinance** authorizing, pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Berkeley County, South Carolina, and Pegasus Steel, LLC, Dynamic Solutions, LLC, and Alton Property Management Group, LLC; and matters relating thereto.

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** consideration, prior to First Reading, of the **ordinance** authorizing the execution and delivery of a fee agreement between the County and Pegasus Steel, LLC, Dynamic Solutions, LLC, and Alton Property Management Group, LLC. The motion passed by unanimous voice vote of the Committee.

Ms. Ewing: "Mr. Chairman?"

Chairman Schurlknight: "Yes, Ms. Ewing."

Ms. Ewing: "Item E on the Addendum to your committee also deals with that same project. I didn't know if you, maybe, wanted to address it at the same time. It's approval of a resolution regarding that project."

Committee Member Steve Davis: “Mr. Chairman, I move that we take it out of order and address this Item E that the attorney had referred to.”

Chairman Schurlknight: “Ok, Mr. Davis; that will be fine.”

Item taken out of order from agenda format, as follows:

E. Consideration of a **resolution** providing that under certain conditions, Berkeley County will enter into an agreement, pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina, with **Pegasus Steel, LLC, Dynamic Solutions, LLC, and Alton Property Management Group, LLC.**

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** consideration of a **resolution** providing Berkeley County will enter into an agreement with Pegasus Steel, LLC, Dynamic Solutions, LLC, and Alton Property Management Group, LLC. The motion passed by unanimous voice vote of the Committee.

Return to original agenda format, as follows:

C. Review prior to **Second Reading** of **Bill No. 11-23**, an **ordinance** authorizing the execution and delivery of one or more incentive agreements by and among Berkeley County, South Carolina, and **Project Surge**, and one or more affiliated or related entities as sponsor to provide for a **fee-in-lieu of taxes** incentive; to provide for a sponsor affiliate; to provide for the inclusion of the project in a multi-county business or industrial park; to provide for special source revenue credits; and to enter into any other necessary agreements with the sponsor and sponsor affiliate to effect the intent of this ordinance; and other related matters.

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** Bill No. 11-23 for Second Reading. The motion passed by unanimous voice vote of the Committee.

D. Review prior to **Third Reading** of the following:

1. Bill No. 11-10, an **ordinance** to amend the language of Ordinance No. 79-03-08, as amended, by requiring a **residency requirement** of all **Sangaree Advisory Committee Members**.

It was moved by Committee Member Cathy Davis and seconded by Committee Member Steve Davis to **approve** review, prior to Third Reading, of Bill No. 11-10. The motion passed by unanimous voice vote of the Committee.

2. Bill No. 11-11, an **ordinance** providing for the **fiscal year** beginning July 1, 2011 and ending June 30, 2012 for the **Devon Forest Special Tax District** operational

budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.

It was moved by Committee Member Cathy Davis and seconded by Committee Member Steve Davis to **approve** review, prior to Third Reading, of Bill No. 11-11. The motion passed by unanimous voice vote of the Committee.

3. Bill No. 11-12, an **ordinance** providing for the **fiscal year** beginning July 1, 2011 and ending June 30, 2012 for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.

It was moved by Committee Member Cathy Davis and seconded by Committee Member Steve Davis to **approve** review, prior to Third Reading, of Bill No. 11-12. The motion passed by unanimous voice vote of the Committee.

4. Bill No. 11-13, an **ordinance** providing for the **fiscal year** beginning July 1, 2011 and ending June 30, 2012 for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

It was moved by Committee Member Cathy Davis and seconded by Committee Member Steve Davis to **approve** review, prior to Third Reading, of Bill No. 11-13. The motion passed by unanimous voice vote of the Committee.

5. Bill No. 11-14, an **ordinance** providing for the **fiscal year** beginning July 1, 2011 and ending June 30, 2012 for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.

It was moved by Committee Member Cathy Davis and seconded by Committee Member Steve Davis to **approve** review, prior to Third Reading, of Bill No. 11-14. The motion passed by unanimous voice vote of the Committee.

6. Bill No. 11-15, an **ordinance** providing for the **fiscal year** beginning July 1, 2011 and ending June 30, 2012 for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** review, prior to Third Reading, of Bill No. 11-15. The motion passed by unanimous voice vote of the Committee.

7. Bill No. 11-16, an **ordinance** providing appropriations for the **fiscal year** beginning July 1, 2011 and ending June 30, 2012 for **Berkeley County**; to provide for

levy of taxes on all taxable property in Berkeley County for all County purposes; to provide for the expenditures of said taxes and other revenues coming into the County for the fiscal year; and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for water and sewer and solid waste service by **Berkeley County Water and Sanitation.**

Motion for First Amendment:

Committee Member Steve Davis: “I move for approval with an amendment, if it is appropriate, for an increase to the Sheriff allocation, in the amount of \$130,500.00, which would cover these two Correctional Officers that is needed to facilitate the jail; and also, as part of that amendment, I ask that a decrease in the amount of \$30,500.00 for the Public Defender in the Supervisor’s recommended budget.”

Committee Member Pinckney: “Second.”

Chairman Schurlknight: “Ok; discussion?”

Mr. Callanan: “Yeah, Mr. Chairman?”

Chairman Schurlknight: “Mr. Callanan.”

Mr. Callanan: “This is also the Water and Sanitation Budget, as well, isn’t it?”

Chairman Schurlknight: “Right.”

Mr. Callanan: “Ok; can I ask – what is the current Fund Balance of Water and Sanitation? Are we – or we’re doing the amendment right now, right, we’re discussing the amendment?”

Committee Member Steve Davis: “Right; that’s correct.”

Mr. Callanan: “Ok; let’s take care of the amendment first, and then, I’ll ask the question.”

Chairman Schurlknight: “Ok; any other discussion? Hearing none, all in favor?”

Mr. Farley: “You said to deduct \$30,500.00 from the Public Defender’s Fund?”

Committee Member Steve Davis: “That’s correct.”

Mr. Callanan: “Mr. Chairman?”

Chairman Schurlknight: “A...”

Mr. Callanan: "Would that make it less than what the Public Defender had last year? It would still be more?"

Chairman Schurlknight: "Yeah."

Supervisor Daniel Davis: "It would still be more. They had asked for two attorneys or an amount of money that would allow them two attorneys, and that was in the original budget that I recommended, but we need – in order to fund the corrections officers, we're gonna have to get that money, some of that money, from the Public Defender. So, it would actually fund him for one position."

Ms. Kace Smith, Deputy Supervisor and Finance Director: "Could I ask for some clarification?"

Chairman Schurlknight: "Yes, Kace."

Ms. Smith: "That was to – I believe, your motion was to increase the Sheriff by \$135,000.00 and decrease the Public Defender by \$30,500.00. Did that also include increasing any revenue?"

Committee Member Steve Davis: "Well, I thought..."

Ms. Smith: "Possibly, the Solicitor revenue?"

Supervisor Daniel Davis: "We do need to increase it by [inaudible]."

Committee Member Steve Davis: "Well, I was under the mistaken belief that it was already in the budget for the Solicitor's Office, but apparently not."

Supervisor Daniel Davis: "No this is the revenues."

Ms. Smith: "The positions – the two positions that the Solicitor..."

Committee Member Steve Davis: "The positions are there, but the funds were not there?"

Supervisor Daniel Davis: "Correct."

Amending Motion for First Amendment:

Committee Member Steve Davis: "And so, I'll amend my amendment to include \$100,000.00, following the presentation that Solicitor Wilson presented to us as the dire need to have these two positions, which were subtracted out of, but now, I'm requesting that they be put back in, please."

Ms. Smith: "And just for the record, the Supervisor's recommended General Fund Budget was \$54,690,523.00. I believe, with this proposed amendment, it would be \$54,790,523.00."

Committee Member Steve Davis: "That's correct; and that would include part of my motion that the total budget expenditures would be \$54,790,523.00."

Ms. Smith: "And the revenues would be the same; yes, Sir."

Committee Member Steve Davis: "That's correct – revenues remain the same."

Mr. Callanan: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Callanan."

Mr. Callanan: "Where is this money coming from? I'm lost."

Ms. Smith: "Some additional funds from the Solicitor's Office."

Mr. Callanan: "And, if those funds are not forthcoming?"

Ms. Smith: "Well, we're estimating them for next year. We currently get some funding for them from them."

Mr. Callanan: "Ok; well, my fear is that if these are employees as of the beginning of the fiscal year, and this would not materialize, what, I mean, what would happen? I mean, would it make sense to use the amount of money from the Fund Balance, and then have that reimbursed by the funds coming into the, the potential funds, coming in to the Solicitor's Office?"

Supervisor Daniel Davis: "Well, if we, if we came up \$100,000.00 short, that's where the money would come from, would be Fund Balance at the end of next year."

Mr. Callanan: "Ok; that's what I just wanted to make sure that we're not – something happens, and then all of a sudden, we're not just firing four Prosecutors."

Chairman Schurlknight: "No."

Mr. Callanan: "That's what I'm worried about."

Committee Member Steve Davis: "We wouldn't do that."

Chairman Schurlknight: "Any other discussion?"

Committee Member Steve Davis: "I think you need a second on that, Mr. Chairman."

Chairman Schurlknight: "Can I get a second?"

Committee Member Pinckney: "Second."

Committee Member Call: "This is on the amendment; is that correct?"

Committee Member Steve Davis: "Yes."

Chairman Schurlknight: "Yes."

There was no further discussion.

The motion to amend, to include the amendment to the amended motion passed by unanimous voice vote of the Committee.

Supervisor Daniel Davis: "We need a motion on the main budget."

Chairman Schurlknight: "Ok; and now..."

Committee Member Call: "Mr. Chairman, I'd like to make an amendment..."

Chairman Schurlknight: "Mr. Call."

Motion for Second Amendment:

Committee Member Call: "I'm sorry; to the budget that we convert all this paperwork and postage that we have to an iPad System with the funding to come from our district statements. I think it will save a lot of money in postage, printing, and everything else. I think John Hamer may have been working on some expense figures on that. Are you prepared to give that adjustment out?"

Mr. John Hamer, Procurement Director: "[Inaudible]."

Committee Member Call: "If you're not, that's ok."

Ms. Ewing: "Mr. Chairman, is this an amendment to the budget ordinance?"

Committee Member Call: "Yes."

Ms. Ewing: "Ok."

Mr. Hamer: "The iPads are not on state contract. I was researching that for Mr. Davis. They are not on state contract. We'll just have to make the purchase outright. I have not gotten a figure. I wasn't sure if I needed that tonight or not."

Committee Member Call: "Let me point out to be clear that coming out of this line item in the budget that it is a – an expense that we are personally underwriting. It is an expense that we use on our district to pay for things like postage, and typing, and cell phones. I know, my cell phone data plan gets E alive, and it don't come nowhere near doing what this system would do. So, that's my motion is that we go to that system and that we make this purchase out of the district stipend line item."

Mr. Callanan: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Callanan."

Committee Member Call: "We need a second."

Chairman Schurlknight: "Yeah, can I get a second for discussion."

Mr. Callanan: "[Inaudible]"

Committee Member Steve Davis: "I second it."

Chairman Schurlknight: "Ok, great; Mr. Callanan."

Mr. Callanan: "The first question I have is before we take away the funds that are normally used for communications from the Council Members, I would like to actually find out the logistics of this and whether or not it's going to be a net savings or a net cost. I can think of about 10 or 15 questions off the top of my head. How do the agendas that we're saving from postage get to the iPad itself? Are we underwriting a 3G Data Plan? What – How are these units insured if they break? Do I – if they break, am I, all of a sudden, I no longer get agendas? I would like to think that this could be optional for any particular Council Member that they would do this, and it could be something that we discuss, but not throw onto the budget on the last day, because, you know, quite frankly, I think there's a – it just opens up a lot more questions than answers. A lot of times, you look at things that you think may make you more efficient, may save you some money, but in the long run, they end up costing more money, and without those figures, I'm, you know, I would recommend that we do not pursue this. And, since that money is going to be in our budget, regardless of what happens tonight, we don't have to make this decision tonight."

Chairman Schurlknight: "Thank you."

Mr. Callanan: "Thank you."

Chairman Schurlknight: "Mr. Call, since John didn't have those figures with us to look at, you think we might can pull that and then address it when we get all the figures together on cost and all that?"

Mr. Call: "I'd prefer to go ahead and vote it out in the Committee, and send it on to Council."

Chairman Schurlknight: "Ok; alright; any other discussion?"

There was no further discussion.

The motion passed by majority voice vote of the Committee. Committee Member Cathy Davis voted, "Nay".

Chairman Schurlknight: "Ok; we still need a motion on the main budget, correct? And, that is Bill No. 11-16..."

Ms. Ewing: "As amended."

Chairman Schurlknight: "As amended."

Committee Member Call: "So move, Mr. Chairman."

Committee Member Steve Davis: "Second."

Chairman Schurlknight: "We have a motion and second on Bill No. 11-16, the budget, as amended."

Committee Member Steve Davis: "And, Mr. Chairman, while we're – for discussion – are you ready for discussion?"

Chairman Schurlknight: "Yes."

Committee Member Steve Davis: "One concern I have in reference to this whole budget – has there, or will there be any allocation made toward Dr. Thornley and the nursing building where we made a commitment last year and allocated certain funds. Are we in a position again this year to provide the necessary funds for this administrative building construction can move forward, in relationship to our portion, compared to Charleston and Dorchester County."

Chairman Schurlknight: "Yeah; I'm going to ask Supervisor Davis. I know he has a problem with the funding mechanism from last year, so if you could talk just a little bit about that?"

Supervisor Daniel Davis: "That money was designated out of the Mount Holly money last year, one time distribution, and that still is the only source that we would have for funding, but funding for Trident Tech is not in the budget."

Committee Member Steve Davis: "Would it be appropriate at this time to request or make a motion that there be a second sum of money that come out the Mount Holly to

address the allocated she needs, or the nursing building needs and all the, how would you put it, funding...”

Supervisor Daniel Davis: “It would; it would.”

Committee Member Steve Davis: “This would be the appropriate time?”

Supervisor Daniel Davis: “It would.”

Motion for Third Amendment:

Committee Member Steve Davis: “I so move, because I think it’s so critical in regards to how we funded it last year, and being in a position now that we’re not providing the funds would really seem like we didn’t even keep our commitment that we made last year to Dr. Thornley.”

Committee Member Call: “I’ll second that motion.”

Chairman Schurlknight: “We have a motion and a second...”

Mr. Callanan: “Wait.”

Chairman Schurlknight: “...yeah; I’m not gonna vote it yet. Any other discussion?”

Mr. Callanan: “Yes, Mr. Chairman?”

Chairman Schurlknight: “Mr. Callanan.”

Mr. Callanan: “I just want a clarification. I did listen to the audio of the budget meeting last year. It was stated that the money would come out of Fund Balance and not out of Mount Holly money. I just wanted to make that point first. The second point I wanted to make is that I just wanted to make it clear my understanding. All of the industry funds, with the exception of Mount Holly, we provide, we share with the School District as if it were, as if they were being taxed regularly, not under a special agreement. This particular pot of money from Mount Holly we do not. Everybody, I think, knows my position on this, that I think we should – that there’s nothing special about this money. This money should be shared with the school district; however, since I am absent enough votes to make that happen, I do support using the Mount Holly money for the nursing school being that it is an education purpose.”

Supervisor Daniel Davis: “And, I wanted to – just for clarification, by resolution, that money was designated for Fund Balance, so technically, that’s correct, but when I say the Mount Holly money, that’s just where the source of the money comes from, but it is still designated for, to go to Fund Balance.”

Mr. Callanan: “But, there are other sources for the Fund Balance; Mr. Chairman?”

Chairman Schurlknight: “Mr. Callanan.”

Mr. Callanan: “Yeah; I was just gonna say the, you know, the perfect of other sources for the Fund Balance – Fund Balance currently is at 15 percent as of last year. We had, I believe, \$631,000.00 in, I guess, that’s where they describe it as a budgetary surplus this year that went to the Fund Balance. Is that correct?”

Ms. Smith: “I’m not sure what you are referring to. A budgetary surplus?”

Mr. Callanan: “They said that there was \$631,000.00, actually, that was going into the – .”

Ms. Smith: “We haven’t budgeted a surplus to go into Fund Balance if that’s...”

Mr. Callanan: “Well, what was the \$631,000.00 that we said is going into Fund Balance as of this year from last year? It was during the workshop.”

Ms. Smith: “...It could be the projected savings that we have...”

Mr. Callanan: “For this fiscal year.”

Ms. Smith: “...for this fiscal year 1011...”

Mr. Callanan: “So, we are projecting a savings of \$631,000.00. That’s a savings on expenditures?”

Ms. Smith: “Excess; well, you’re right. It would all be expenditures, because we are anticipating that our revenues are not going to come in as much as we had anticipated.”

Mr. Callanan: “Ok; and by definition, the way I view it, anytime, the net of a expenditures that come in below the budget prediction, versus the net of the revenues...”

Ms. Smith: “Actuals.”

Mr. Callanan: “...of the actual, if that is a plus number, I view that as a budgetary surplus; and so, that predicted budgetary surplus of \$631,000.00 is going towards – is going into the Fund Balance.”

Ms. Smith: “To one of our Fund Balances.”

Mr. Callanan: "Now, the – I just wanted to clarify that there's actually other sources of funds that come into the fund balance. It doesn't have to be Mount Holly money..."

Ms. Smith: "Certain revenues and expenditures; yes, Sir."

Mr. Callanan: "So, that puts us at above 15 percent on the Fund Balance, because it's 15 plus, that projected surplus. The other question I had is the Mount Holly money, what is that estimated to be for this year, this coming fiscal year?"

Ms. Smith: "There is certainly no way for me to estimate how much we're going to get in next year. I can give you what we received in this current fiscal year."

Mr. Callanan: "Ok."

Ms. Smith: "We received \$3,057,847.00."

Mr. Callanan: "And, that is not allocated currently with exception of the current amendment to be spent on anywhere. It's just used to increase the Fund Balance. Is that correct?"

Ms. Smith: "Well, annually, \$500,000 is transferred to our Water and Sanitation Department."

Mr. Callanan: "Ok; with the exception of that 500,000, the rest of that 3,000,000 or whatever it is is just going in to add to the Fund Balance, which is was already at or recommended 15 percent last year, plus 630,000, plus that \$3,000,000 estimated going in to it this year."

Ms. Smith: "And, Council took action, and also gave Trident Tech \$338,750 this fiscal year."

Mr. Callanan: "From the Fund Balance, so it was not 15 percent this year. Is that right?"

Ms. Smith: "The 15 percent is looked at the end of the fiscal year. When – because our budget is going to be slightly higher, we will have a new benchmark to meet. We will..."

Mr. Callanan: "Ok."

Ms. Smith: "...have a new 15 percent to look to."

Mr. Callanan: "But, the point of – the fact of the matter is we're probably looking somewhere around a little bit less than \$4,000,000 going into the Fund Balance this year? I mean, including that \$631,000."

Ms. Smith: "Well, there's 2.2 of Mount Holly money, and if you add that \$613,000, which was certainly a budget on May 24th, we anticipated that..."

Mr. Callanan: "It's 30."

Ms. Smith: "...because the dust has not settled..."

Mr. Callanan: "Right."

Ms. Smith: "...with revenues..."

Mr. Callanan: "An estimate."

Ms. Smith: "...and expenditures, it could be a 2.8 million."

Mr. Callanan: "Ok; so, we're adding that amount to the 15 percent; ok."

Ms. Smith: "Well, to the amount that was there last year, yes, to the 15 percent for the 2010-2011 amount, so certainly."

Mr. Callanan: "Ok; I just wanted to clarify that where the money is going. It's not being spent, it's being added to a balance that's already at the level we want it to be; ok; and the actual questions I've had on the budget has to do with Water and Sanitation and just a concern that I have with them. Johnette, do you have the – what is the current Fund Balance for Water and Sanitation?"

Ms. Johnette Connelley, BCWS Finance Director: "Right now, the latest one I looked at after the bond payments would come out at the end of June, it's probably going to be between, about 22,000,000 between water and sewer and solid waste."

Mr. Callanan: "Ok; so at \$22,000,000, what does that equal out to on as a percentage?"

Ms. Connelley: "For Water and Sanitation, if you split them out, it's about 62 percent for water and sewer side, and on solid waste, it's probably about 71 percent, I believe, from the last ones I looked at."

Mr. Callanan: "And, what's the receivable that we have coming in every year? Does that include that \$500,000 that's coming in?"

Ms. Connelley: "That should include that."

Mr. Callanan: "Ok; alright, I just wanted to point out something that concerns me that I think I need to bring it up now in hopes that it doesn't continue down this path. Obviously, Water and Sanitation has an extremely healthy Fund Balance. Starting about

three years ago, I just noticed a trend where it seemed like the Water and Sanitation was beginning to – rather than – I’m sorry, was rather than it looking as a separate entity was beginning to look as a simple department of government, and you know, it started off with the loan or transfer of funds where we took money from Water and Sanitation, and transferred it to pay off Santee Cooper for the Mount Holly. Now, we’re going to pay that back, or we are right now, but the other issue is, you know, at the audit meeting this year, it was mentioned that we have the option of transferring that money back or forgiving the loan. And that, to me, is a very dangerous statement to make, and the reason it is is because I’m not a Water and Sanitation customer, and using Water and Sanitation Funds as any source of General Revenue for the County is essentially taxing a certain group of County residents for the benefit of all counties, of all County residents, and I have a problem with that. That’s not why the Water and Sanitation Department was set up – as a revenue source for the County. Now, this further goes down that path this year. Up until this year, our budgets for Water and Sanitation and the County have been separate entities. This year, for the first time, it is now one item. The Water and Sanitation and County Budget is one item on the, on the agenda, and I just think we are going down a dangerous path where, where we can end up, the County can get its hands on that \$22,000,000 Fund Balance to do what – for County purposes. And, that’s not what was envisioned for the Water and Sanitation Department when it was created. Those – we have – we had to raise rates by 30 percent and double our fees. I think we should be using that money to pay down our debt, so that we can lower those fees, be more competitive, and give folks a little bit of relief. So, I think that balance is getting high. I would like to see it, rather than the danger of the County using it for other purposes, it being used to pay down debt, so therefore, we have less of an interest burden, so therefore, we can lower rates. That’s the concern I have about the path that we’re taking on Water and Sanitation, and more acutely, for this particular item on the agenda, the fact that we’re now combining both the Water and Sanitation and the County Budget into one line item; so, thank you.”

Supervisor Daniel Davis: “Mr. Chairman?”

Chairman Schurlknight: “Mr. Davis.”

Supervisor Daniel Davis: “First of all, I want to take issue with the suggestion that’s what we’re trying to do or that we might ever do that. Number one, our bond rating agencies, our bond holders, just simply won’t permit that, and that’s not the intention. The reason that the ordinances were combined came out of a suggestion by Council. It was mentioned by another Councilman who asked why we were, why we had two separate ordinances. So, we actually just reacted. It doesn’t serve any purpose, and having two ordinances, two separate ordinances, would not prevent County Council from using those dollars if they ever did. So, just the mere fact that we have two separate ordinances or one ordinance combined would not prevent Council if you collectively decided to use those dollars, you could do that. But, I certainly will never put it in my budget and would never recommend it. That would be, that would just simply be bad practice.”

Committee Member Steve Davis: “And, Mr. Chairman, further to pigeon on that a little bit, there’s no comingling of those funds as they exist.”

Supervisor Daniel Davis: “Absolutely not.”

Committee Member Steve Davis: “And, this reference to the loan that was never the situation where there was a transfer of some funds is what I understand. This money is supposed to be transferred back out. It ain’t no loan. There was no interest tied to it. When you’re talking a loan, you’re talking about interest. There ain’t no repayment of no interest in this, so it’s not no loan. We’re just using a different terminology, but as it stands right now, we just got one ordinance with both combined, but no comingling of funds. They still operate separate, and I’m one of them customers for Water and Sanitation, so I can darn sure tell you that there wouldn’t be no circumstances where taxpayers like myself is going to be funding other general expenditures for County Council. I pay for water.”

Mr. Callanan: “Mr. Chairman?”

Chairman Schurlknight: “Mr. Callanan.”

Mr. Callanan: “Yeah, it was on the January 4th meeting when – I’m sorry, it was on the audit meeting of this year. I’m not simply making this up where I believe the statement was made by the Finance Director, when asked about that \$500,000, what we’re to do with it, and the statement was made that it’s County’s choice, they can either forgive – I think it was, the word was forgive the loan or continue to pay it back. If we’re forgiving loans from Water and Sanitation to County, that is, in effect, comingling funds. You know, it’s just using a – it’s just using an accounting technique to do it, and so, what worries me is that we are one majority vote of Council away at any given time from doing it, and I think that’s, you know, that’s a – I just think we’re setting a dangerous precedent. I just think we should go out of our way to keep these entities separate. That’s all I was stating.”

Supervisor Daniel Davis: “Yeah, Mr. Chairman, I’ll just restate, in the budget, the budget clearly shows that that \$500,000.00 is being transferred to Water and Sanitation as we have been doing for the last several years and as Council directed it to be done.”

Mr. Fish: “Mr. Chairman?”

Chairman Schurlknight: “Mr. Fish.”

Mr. Fish: “Understand that Council was directed that based on lies, however, when I went back and researched the records, when you go back, it’s on our auto webpage, under Code Section 65, which Authority was first established in 1992, and it clearly states in there the Authority, because it’s a Water Department, etc., etc., the cost of operations shall be derived from the revenues from this system and shall not be issued

for any other purposes. It has been in ordinance the last number of years in Section 2, that water and sewer, specifically, spells that back out. And, we've heard this evening from two Council Members – used the term '*using the funds other than for its purposes were*'. I agree with Mr. Callanan. I think they were pushing the envelope of what – if it's very clear that the ordinances said it shall not be used for any other purposes – our documentation doesn't really say that when the money was transferred it's a loan. The word transfer is being used. When we raised water rates two years ago, I would recommend strongly that this ordinance be separate from the two of them, because it is a separate Authority. Now, yes, it's all owned by the County. The funds are not comingled. I think we're just treading on dangerous ground to change these things at this point in time."

Chairman Schurlknight: "Mr. Fish, I think, probably the best, because if my memory serves me correctly, David Jennings, the Attorney for Water and Sanitation gave his blessings on this. I think it might be a good thing if we get David in here at our next meeting, and let's talk to David about it on the legalities."

Mr. Fish: "I agree. Mr. Chairman?"

Chairman Schurlknight: "We'll, we'll take a look at it from that point, but as Chairman of Finance, I don't buy into, and I don't think Council is looking at forgiving transfers. You know, we are making that half-million dollar payback to that, back to Water and Sanitation, and we will continue to do that. But, we'll get David Jennings in here to answer these legal questions that y'all have on this here. But, if my memory serves me correctly, you know, we had his blessings on the legal issues of that."

Mr. Fish: "I remember, that's correct, Mr. Chairman. If I may further add, you know, as I went ahead and did the – my recommend is that I'm not part of this Council, but again this year, I went and did an analysis and summary based on the actual submitted from Finance through May 31st. I handed out to Council a copy of that, and I also went so far as, in the far right-hand column, just talk about the Council budget only or the general operation..."

Chairman Schurlknight: "Mr. Fish, can I interrupt just for one second. I'm trying to keep up with where we are. Councilman Davis, we're on Trident Tech. You made an amendment for Trident Tech."

Committee Member Steve Davis: "Yes."

Chairman Schurlknight: "For that. Let's go ahead and vote that, and we'll come back to your analysis. Would that be ok with you, Mr. Fish?"

Mr. Fish: "Well, ok, with..."

Chairman Schurlknight: "As long as this has a bearing on Trident Tech."

Mr. Fish: "I'm trying to make a statement here, and unfortunately, number one, we are not able to vote on your resolution until ya'll come before Council. You know, my recommendation is, because of the number of issues that we're talking about, water and sewer. When the budget was handed to us last month, we didn't have a chance to analyze what the actual expenditures were. I'm requesting – only requesting a continuing resolution of the budget and a workshop in the next two weeks like we did last year to go through these vast differences. If the Committee chooses to go forward, then I guess it does, but my recommend – you know, I can't vote on this Committee, but that would be my recommendation. There's too many vast differences that need to be discussed in a workshop."

Committee Member Steve Davis: "Mr. Chairman?"

Chairman Schurlknight: "Ok; thank you, Mr. Fish."

Committee Member Steve Davis: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Davis."

Committee Member Steve Davis: "Dr. Thornley, would you please come forward and tell us the sum of money that I just made a motion and second that we're talking about in reference to the nursing school?"

Dr. Mary Thornley, Trident Technical College President: "For this coming year, we need..."

Committee Member Steve Davis: "That's..."

Dr. Thornley: "Yes; we need 546,000 this coming year from Berkeley County."

Committee Member Steve Davis: "Ok; and was I correct when I said that the other counties have made the apportionment?"

Dr. Thornley: "That is correct. Charleston County, about a week ago, floated bonds for their portion. Their portion of the total building is 60 percent or 18,000,000. We're asking Berkeley County for 25 percent, or seven-and-a-half million, and we're asking Dorchester for four-and-a-half million. Dorchester's form of financing is to reprioritize their capital projects and then the nursing building fits in their eight percent cap."

Committee Member Steve Davis: "But the total sum of money required in the upcoming budget would be \$546,000.00."

Dr. Thornley: "Yes, Sir; that is correct."

Committee Member Steve Davis: “And this Council can make other directions or procedures in reference to finance the balance, which is our portion?”

Dr. Thornley: “Absolutely; and I don’t want to fail to mention again. I’ve talked about the waiting list to get into the Nursing Program. Back in 2009 when I first talked to you, it was 2,500 people in some way trying to get through nursing at Trident Tech. Those lines are much longer. We are asking Berkeley County for 25 percent of the funding, but as we have analyzed the students, a full 33 percent of those students live here in Berkeley County, so we really need your support.”

Committee Member Steve Davis: “Thank you very much.”

Dr. Thornley: “Thank you, Sir.”

Committee Member Call: “Mr. Chairman?”

Chairman Schurlknight: “Council Member Call.”

Committee Member Call: “If we are through, I move that we move Bill No. 11-16 on to full Council, as amended.”

Chairman Schurlknight: “Ok; we’ve got to vote on the amendment that Council Member Davis.”

Committee Member Call: “Ok.”

Chairman Schurlknight: “Ok. Any other discussions on Trident Tech...”

Supervisor Daniel Davis: “You need to state that amount.”

Chairman Schurlknight: “...and the financing of that.”

Motion for Third Amendment Restated:

Committee Member Steve Davis: “I’d just like to state my amendment again that the sum of money will be \$546,000.00 to included for the nursing school.”

Dr. Thornley: “And we are in the final construction planning stages, so we’re ready to move forward. We need you.”

Chairman Schurlknight: “Ok; and I did have a second on that, didn’t I?”

Committee Member Call: “Yes.”

Committee Member Pinckney: “Second.”

Chairman Schurlknight: "We have a second. Any other discussion?"

There was no further discussion.

The motion to amend Bill No. 11-16 with the contributing funding of Trident Technical College's construction of a new nursing school, in the amount of \$546,000.00, passed by unanimous voice vote of the Committee.

Dr. Thornley: "I cannot thank you all enough; thank you, thank you, thank you, thank you, thank you, thank you, thank you, thank you, thank you very much."

Chairman Schurlknight: "Thank you, Dr. Thornley."

Committee Member Steve Davis: "Thank you, Doctor."

Chairman Schurlknight: "Ok; we're back to the main..."

Ms. Ewing: "I believe the Finance Director has requested that we identify the funding source of that \$546,000.00, or was that included in Mr. Davis' motion?"

Committee Member Steve Davis: "It was included that the money would come out of the Mount Holly Fund, which goes into the General Fund as Tim tells us."

Chairman Schurlknight: "Ok, next we have the vote on the main budget, which is Bill No. 11-16."

Committee Member Steve Davis: "Move for approval."

Committee Member Cathy Davis: "Mr. Chairman?"

Chairman Schurlknight: "Do I have a second?"

Committee Member Pinckney: "Second."

Chairman Schurlknight: "I have a second; now, discussion."

Committee Member Cathy Davis: "Yes, Mr. Chairman?"

Chairman Schurlknight: "Ms. Davis."

Committee Member Cathy Davis: "I've got a question. The budget, as it is written right now, does that include the Satellite Office in Goose Creek being closed?"

Supervisor Daniel Davis: "It does; not closed, but the Treasurer and Auditor functions will be pulled out of there and moved back to this office, to this building."

Committee Member Cathy Davis: "What would be left?"

Supervisor Daniel Davis: "Veteran's Affairs."

Ms. Smith: "And also the Magistrate's Office would be down there as well."

Supervisor Daniel Davis: "Right."

Ms. Smith: "And, I believe Supervisor Davis may also explore some options to put some other offices down at that location."

Committee Member Cathy Davis: "You said he may explore options?"

Supervisor Daniel Davis: "Well, we will look to see if we can utilize that space, because we've got to pay rent on it."

Ms. Smith: "We pay rent regardless."

Supervisor Daniel Davis: "But, right now, we've not identified anybody to go in there. Veteran's Affairs needs more room, so they will finally get all the room that they need, but we can use it. We will look at using it for some other County function. It's not a duplication. That's the key is that we're just trying to eliminate duplications."

Mr. Farley: "Mr. Chairman, do we have a number of people that use that facility each week that come in and out of that?"

Supervisor Daniel Davis: "We can get that."

Mr. Farley: "I think you'll be surprised; I really do."

Chairman Schurlknight: "Ok; any other..."

Mr. Callanan: "Yes, Mr. Chairman? Just a question on the – this will get another full reading later this evening, correct?"

Chairman Schurlknight: "Correct; it'll go to full Council."

Mr. Callanan: "Ok; thank you."

Chairman Schurlknight: "Ok, any other discussion? Ok, we've got a motion and a second on this, and also Council Member Fish has done an analysis, and he is asking that we would consider doing a continuing resolution on this til next month. I'm gonna leave it up to the Committee. All in favor to pass the budget as presented with the amendments?"

Main Motion with All Amendments:

The motion was made by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** consideration, prior to Third Reading, of **Bill No. 11-16**, as amended by the following: 1) increase the Sheriff's allocation in the amount of \$130,500.00; 2) decrease the Public Defender's allocation, in the amount of \$30,500.00; 3) increase revenues in the Solicitor's Office by \$100,000.00; 4) Council Members to convert from paperwork and postage to an iPad System, with funding to come from Council Districts' stipend line item; and 5) increase revenues with a contribution to Trident Technical College to construct a new nursing school, in the amount of \$546,000.00, to come from the Mount Holly Fund. The motion passed by majority voice vote of the Committee. Committee Member Cathy Davis voted, "Nay."

Chairman Schurlknight: "The 'Ayes' have it; thank you, and it will be forwarded on to full Council for further debate."

8. Bill No. 11-17, an ordinance to amend Ordinance No. 10-07-20, adopted July 26, 2010 to provide for **supplemental appropriations** and allocations thereof within the 2010-2011 Budget for **Berkeley County**; and other matters relating thereto.

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** review, prior to Third Reading, of Bill No. 11-17. The motion passed by unanimous voice vote of the Committee.

It was moved by Committee Member Steve Davis and seconded by Committee Member Call to **adjourn** the meeting of the Committee on Finance. The motion passed by unanimous voice vote of the Committee.

Meeting adjourned at 8:11 p.m.

July 25, 2011
Date Approved

ADDENDUM

FINANCE

(Standing Committee of Berkeley County Council)

Chairman: Mr. Jack H. Schurlknight, District No. 6

Members: Mr. Robert O. Call, Jr., District No. 3
Mrs. Cathy S. Davis, District No. 4
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8

Mr. Phillip Farley, District No. 1, ex officio
Mr. Timothy Callanan, District No. 2, ex officio
Mr. Dennis Fish, District No. 5, ex officio
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON FINANCE**, Standing Committee of Berkeley County Council will be held on **Monday, June 27, 2011, at 6:00 p.m.**, following other scheduled committee meetings in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

ADD:

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body, or the position of the County in other adversarial situations involving the assertion against the County of a claim.

- E. Consideration of a resolution** providing that under certain conditions, Berkeley County will enter into an agreement pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina with **Pegasus Steel, LLC, Dynamic Solutions LLC and Alton Property Management Group LLC**.

June 23, 2011
S/Catherine R. Windham
Acting Clerk of Council

FINANCE

(Standing Committee of Berkeley County Council)

Chairman: Mr. Jack H. Schurlknight, District No. 6

Members: Mr. Robert O. Call, Jr., District No. 3
Mrs. Cathy S. Davis, District No. 4
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8

Mr. Phillip Farley, District No. 1, ex officio
Mr. Timothy Callanan, District No. 2, ex officio
Mr. Dennis Fish, District No. 5, ex officio
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON FINANCE**, Standing Committee of Berkeley County Council will be held on **Monday, June 27, 2011, at 6:00 p.m.**, following other scheduled committee meetings in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

AGENDA

APPROVAL OF MINUTES

May 23, 2011

May 24, 2011

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversarial situations involving the assertion against the County of a claim.

- A. Solicitor Scarlett Wilson, Re: Budget Request.**
- B. Consideration prior to First Reading** of an ordinance authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Berkeley County, South Carolina and **Pegasus Steel, LLC, Dynamic Solutions, LLC** and **Alton Property Management Group, LLC**; and matters relating thereto.

- C. **Review prior to Second Reading of Bill No. 11-23**, an ordinance authorizing the execution and delivery of one or more incentive agreements by and among Berkeley County, South Carolina, and **Project Surge**, and one or more affiliated or related entities, as sponsor, to provide for a **fee-in-lieu of taxes** incentive; to provide for a sponsor affiliate; to provide for the inclusion of the project in a multi-county business or industrial park; to provide for special source revenue credits; and to enter into any other necessary agreements with the sponsor and sponsor affiliate to effect the intent of this ordinance; and other related matters.
- D. **Review prior to Third Reading of the following:**
1. **Bill No. 11-10**, an ordinance to amend the language of **Ordinance No. 79-3-08**, as amended, by requiring a residency requirement of all **Sangaree Advisory Committee Members**.
 2. **Bill No. 11-11**, an ordinance providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Devon Forest Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.
 3. **Bill No. 11-12**, an ordinance providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.
 4. **Bill No. 11-13**, an ordinance providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.
 5. **Bill No. 11-14**, an ordinance providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.
 6. **Bill No. 11-15**, an ordinance providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.
 7. **Bill No. 11-16**, an ordinance providing appropriations for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for **Berkeley County**; to provide for levy of taxes on all taxable property in Berkeley County for all county purposes; to provide for the expenditures of said taxes and other revenues coming

into the county for the fiscal year; and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by **Berkeley County Water and Sanitation.**

8. **Bill No. 11-17**, an ordinance to amend Ordinance No. 10-07-20 adopted July 26, 2010, to provide for **supplemental appropriations** and allocations thereof within the 2010-2011 budget for Berkeley County; and other matters relating thereto.

June 22, 2011
S/Catherine R. Windham
Acting Clerk of County Council